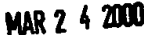


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PTO/SB/29 (2/98)

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



Submit an original, and a duplicate for fee processing
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

☒ DUPLICATE

**Assistant Commission for Patents
Box CPA
Washington, DC 20231**

Attorney Docket No.	N19.12-0006
First Named Inventor	Kambe et al.
Examiner Name	M. Day
Group / Art Unit	2879
Express Mail Label No.	EL418983858US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior application number 08/962,362 filed on October 31, 1997, entitled PHOSPHORS.

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not abandoned.

ACCESS TO PRIO APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on _____
under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.56(d).
a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
a. ☐ PTO-1449
b. ☐ Cited References
- TC 2800 MAIL ROOM

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Box CPA, Washington, DC 20231

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PTO/SB/29 (2/98)

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37CFR 1.16(c))	17-20 =	0	x \$ 9 =	\$ 0.00
	INDEPENDENT CLAIMS (37CFR 1.16(c))	1 - 3 =	0	x \$ 39 =	0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ =	
				BASIC FEE (37 CFR 1.16(a))	690.00
				Total of above Calculations =	690.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				345.00
	TOTAL =				345.00

6. Small Entity Status:

- a. ☐ A small entity statement is enclosed.
- b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired
- c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge to the following fees to Deposit Account No. 23-1123:

- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.

8. ☒ A check in the amount of \$345.00 is enclosed.

9. ☒ Other: Declaration of Professor Rajiv K. Singh

NOTE:

The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ New Correspondence address below

Name					
Address					
City		State		Zip Code	
Country		Telephone		Fax	

Name (Print/Type)	Peter S. Dardi, Ph.D.
Signature	
Registration No. (Attorney/Agent)	39,650
Date	March 24, 2000



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kambe et al.

Serial No.: 08/962,362

Filed : October 31, 1997

For : PHOSPHORS

Docket No.: N19.12-0006

Group Art Unit: 879

Examiner: Day

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PRELIMINARY AMENDMENT

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Express Mail No.: EL418983858US
Date of Deposit: March 24, 2000

Sir:

Prior to considering the CPA application enclosed herewith, please consider the following remarks. A Declaration under 37 CFR §1.132 by Professor Singh is enclosed with this Response.

REMARKS

Claims 1-6 and 20-30 remain for consideration. Applicants respectfully request reconsideration of the rejections of the pending claims based on the following analyses. A Declaration by Professor Singh is enclosed with this Response in support of the arguments presented below.

Rejections Over Jaskie Alone

The Examiner rejected claims 1, 4-6, 20-25 and 27-30 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,442,254 to Jaskie (the Jaskie patent). In particular, the Examiner noted that the Jaskie patent discloses a display including phosphor particles having an average diameter less than 100 nm. While the Examiner noted that the Jaskie patent is silent on the particular size range of phosphor particles, the Examiner asserted that the Jaskie patent teaches that it is within the skill in the art to specify a desired range of particle sizes. Applicants respectfully request